

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RECEIVED  
CLERK'S DOCKET UNIT

2017 AUG 11 PM 3:38

Robert Moco

**17CV 6108**  
No.

Write the full name of each plaintiff.

(To be filled out by Clerk's Office)

-against-

New York City police Dept.

**COMPLAINT**

(Prisoner)

Do you want a jury trial?

☒ Yes ☐ No

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

**I. LEGAL BASIS FOR CLAIM**

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☐ Other: \_\_\_\_\_

**II. PLAINTIFF INFORMATION**

Each plaintiff must provide the following information. Attach additional pages if necessary.

Robert

First Name

Middle Initial

Moco

Last Name

N/A

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

N.Y.S.I.D. # 15R2643

Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

Rikers Island Correctional Facility

Current Place of Detention

A.M.K.C 1818 Hazen St

Institutional Address

EAST ELMHURST

County, City

New York

State

11370

Zip Code

**III. PRISONER STATUS**

Indicate below whether you are a prisoner or other confined person:

☐ Pretrial detainee

☒ ~~Civilly committed detainee~~

☐ Immigration detainee

☒ Convicted and sentenced prisoner

☐ Other: \_\_\_\_\_

## IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:

First Name Last Name Shield #

①  
935530-

Current Job Title (or other identifying information)

Police officer

Current Work Address

115 police station N.Y. 92-15 Northern Boulevard

County, City

State

Zip Code

Defendant 2:

First Name

Last Name

Shield #

917254

Current Job Title (or other identifying information)

Current Work Address

County, City

State

Zip Code

Defendant 3:

First Name

Last Name

Shield #

Current Job Title (or other identifying information)

Current Work Address

County, City

State

Zip Code

Defendant 4:

First Name

Last Name

Shield #

Current Job Title (or other identifying information)

Current Work Address

County, City

State

Zip Code

V. STATEMENT OF CLAIM

Place(s) of occurrence: police station # 115  
September 29  
Date(s) of occurrence: 2013

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

On September 29, 2013, I was called and asked to come down to the police station to ask me some questions. Once I arrived I was placed under arrest because someone had file a complaint against me. They arrested me without any investigation into the complaint. They falsely arrested me. I went before the judge. On November 18, 2013 I was called again to come down to the police station to ask me some questions and once again I was placed under arrest for violating an order of protection. On September 16, 2014 both cases went before the judge and were dismissed. The Sept 29<sup>th</sup> arrest I had to stay detained for approximately 72 hours and I had to pay 500 hundred dollars bail and the November 18 arrest I paid to pay 15 hundred dollars to bail out. The police was looking for me to arrest me

(SANDY)

CONT.

But I turn myself IN.

**INJURIES:**

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

**VI. RELIEF**

State briefly what money damages or other relief you want the court to order.

I humbly ASK the court to Consider  
relief for: pain and suffering, lost  
wages, emotional stress and defamation.  
\$ 2,500.000

**VII. PLAINTIFF'S CERTIFICATION AND WARNINGS**

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

06/17/17  
 Dated

[Signature]  
 Plaintiff's Signature

Robert                      Moco  
 First Name                      Middle Initial                      Last Name

18-18 HAZEN Street  
 Prison Address

EAST ELHURST                      New York                      11370  
 County, City                      State                      Zip Code

Date on which I am delivering this complaint to prison authorities for mailing: 7/12/17

Criminal Repository for NYSID Number: 10285381K on 10/31/2016 09:31 am

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**Arrest/Charge Information**

Arrest Date: October 08, 2013 02:30 pm (14:30:00)

**Name:** ROBERT MOCO  
**Date of Birth:** February 29, 1976  
**Sex:** Male  
**Race:** White  
**Ethnicity:** Not Hispanic  
**Height:** 5' 06"  
**Weight:** 165  
**Age at time of crime/arrest:** 37  
**Address:** 34-26 STEINWAY STR, QUEENS, NY  
**Fax Number:** Q46488  
**Place of Arrest:** NYCPD 115  
**Arrest Type:** Unknown  
**Date of Crime:** September 29, 2013  
**Place of Crime:** NYCPD 115  
**Criminal Justice Tracking No.:** 66285216M  
**Arresting Agency:** NYCPD PCT 115  
**Arresting Officer ID:** 935530  
**Arrest Number:** Q13660747  
**Arraignment:** Queens County Criminal Court  
**Arrest Charges:**

-- Stalking 3rd: 3 Or More Persons On Separate Occasions- No Prior Conv  
 PL 120.50 Sub 01 Class A Misdemeanor Degree 3 NCIC 1316

*Sandy Ctehi***Court Case Information**--Court: Queens County Criminal Court Case Number: 2013QN055910

October 08, 2013

**Initial Report Of Docket Number**

October 08, 2013

**Arraigned**

-- Stalking 3rd: 3 Or More Persons On Separate Occasions- No Prior Conv  
 PL 120.50 Sub 01 Class A Misdemeanor NCIC 1316

-- Harassment-2nd Degree: Physical Contact  
 PL 240.26 Sub 01 Violation NCIC 7099

September 16, 2014

**Dismissed, Failure To Provide Speedy Trial CPL 30.30**

-- Stalking 4th: Cause Fear Of Material Harm To Health, Safety, or Property  
 PL 120.45 Sub 01 Class B Misdemeanor NCIC 1316

Reduced From:

*(5)*

Criminal Repository for NYSID Number: 10285381K on 10/31/2016 09:31 am

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**Arraigned**

-- Criminal Contempt-2nd:Disobey Court  
PL 215.50 Sub 03 Class A Misdemeanor NCIC 5005

-- Harassment-2nd Degree: Physical Contact  
PL 240.26 Sub 01 Violation NCIC 7099

September 16, 2014

~~Dismissed Failure To Provide Speedy Trial CPL30.30~~

-- Criminal Contempt-2nd:Disobey Court  
PL 215.50 Sub 03 Class A Misdemeanor NCIC 5005

-- Harassment-2nd Degree: Physical Contact  
PL 240.26 Sub 01 Violation NCIC 7099

September 16, 2014

**Not Arraigned**

-- Criminal Contempt-1st Deg: Violate Order Of Protection- Follow Person  
PL 215.51 Sub BII Class E Felony NCIC 5016

September 29, 2014

**Sealed Upon Termination Of Criminal Action In Favor Of The Accused CPL160.50**

Dep



### Arrest/Charge Information

Arrest Date: November 20, 2013 12:35 pm (12:35:00)

**Name:** ROBERT MOCO  
**Date of Birth:** February 29, 1976  
**Sex:** Male  
**Race:** White  
**Ethnicity:** Not Hispanic  
**Height:** 5' 06"  
**Weight:** 165  
**Age at time of crime/arrest:** 37  
**Address:** 34-26 STEINWAY STR, QUEENS, NY  
**Fax Number:** Q53457  
**Place of Arrest:** NYCPD 115  
**Arrest Type:** Unknown  
**Date of Crime:** November 18, 2013  
**Place of Crime:** NYCPD 115  
**Criminal Justice Tracking No.:** 66351650R  
**Arresting Agency:** NYCPD PCT 115  
**Arresting Officer ID:** 917254  
**Arrest Number:** Q13670140  
**Arraignment:** Queens County Criminal Court

### Arrest Charges:

-- Criminal Contempt-1st Deg: Violate Order Of Protection- Follow Person  
PL 215.51 Sub BII Class E Felony Degree 1 NCIC 5016

### Court Case Information

--Court: Queens County Criminal Court Case Number: 2013QN064621

November 21, 2013

**Initial Report Of Docket Number**

November 21, 2013

ROBERT MACO # 8951760593

8-18 HAZEN ST. / A.M. 2.C

E. ELMHURST, N.Y. 11370

7016 2070 0001 1295 0500

PLACE STICKER ATTACHMENT OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE  
**CERTIFIED MAIL**



7016 2070 0001 1295 0500

Pro Se INTAKE UNITS

500 PEARL ST. (RM. 200)

New York, N.Y. 10007



1000



10007

U.S. POSTAGE  
PAID  
EAST ELMHURST, NY  
11369  
JUL 26, 17  
AMOUNT

**\$7.01**

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USM  
SDNY

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